



City Council Agenda

Council President
Ken Steitz

Councilmembers

Tom Boyajian
Garry Bredefeld
Chris Mathys, Acting Council President

Henry Perea
Sal Quintero
Daniel Ronquillo

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, AUGUST 31, 1999

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of August 17, 1999

Action Taken:

- A. Request progress report from the Redevelopment Agency and Regional Medical Center regarding the status of the architectural plans and the timelines of each phase - Councilmember Quintero

Action Taken:

ADJOURN AGENCY

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

9:00 A.M. COUNCIL ROLL CALL

Invocation by Steve Laird from Sunnyside Assembly of God

Pledge of Allegiance to the Flag

Proclamation of "CLAIM JUMPERS OF FRESNO DAY" - Acting President Mathys

Presentation of Certificates of Recognition to Central Valley Youth Baseball Club - Councilmembers Ronquillo and Boyajian

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of August 24, 1999

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

9:30 A.M. TEFRA HEARING - As required by Section 147(F) of the Internal Revenue Code of 1986 to hear and to consider information and public testimony concerning the proposed issuance of City of Fresno Multifamily Housing Revenue Refunding Bonds for the project know as Camelot Lakes Apartments Project, located at 937 N. Peach Avenue

Action Taken:

- 1. RESOLUTION** - Authorizing the issuance of City of Fresno Multifamily Housing Revenue Refunding Bonds 1999 Series A & B for the purpose of refunding outstanding City of Fresno bonds; approving and authorizing execution and delivery of an indenture, loan agreement, amended and restated regulatory agreement and certain other related documents; and authorizing the sale of the bonds in connection with the Camelot Lakes Apartments Project

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:00 A.M. HEARING on Text Amendment No. TA-99-01 (Variety Pak #1) proposing changes to the text of the Fresno Municipal Code and related environmental findings, relating to a variety of subjects such as the zoning of annexed lands and the uses and property development standards of the open space, agricultural and residential zone districts

Action Taken:

1. * **BILL NO. B-56 (Intro. 8/24/99)** - Amending the text of the Fresno Municipal Code and related environmental findings, relating to a variety of subjects such as the zoning of annexed lands and the uses and property development standards of the open space, agricultural and residential zone districts

Action Taken:

10:05 A.M. HEARING on Text Amendment No. TA-99-02 (Variety Pak #2) proposing changes to the text of the Fresno Municipal Code and related environmental finding, relating to the standardization of time periods for all legal notices, expiration time of special permits, noticing special permits, wall heights, and the classification of the R-P district as a residential district

Action Taken:

1. * **BILL NO. B-59 (Alternative No. 1) (Intro. 8/24/99)** - Amending Text Amendment No. TA-99-02 (Variety Pak #2) proposing changes to the text of the Fresno Municipal Code and related environmental finding, relating to the standardization of time periods for all legal notices, expiration time of special permits, noticing special permits, wall heights, and the classification of the R-P district as a residential district (*Recommended by the Planning Commission*)
2. * **BILL NO. B-60 (Alternative No. 2 requiring a 15-day notice period)) (Intro. 8/24/99)** Amending Text Amendment No. TA-99-02 (Variety Pak #2) proposing changes to the text of the Fresno Municipal Code and related environmental finding, relating to the standardization of time periods for all legal notices, expiration time of special permits, noticing special permits, wall heights, and the classification of the R-P district as a residential district (*Introduced by Council*)

Action Taken:

10:30 A.M. HEARING to consider Plan Amendment No. 99-13, and Rezoning Application. No. R-99-22, filed by Dewayne Zinkin, for 12 acres of property located on the northwest corner of N. Blackstone and W. Alluvial Avenues

Action Taken:

1. **RESOLUTION** - Amending the Bullard Community Plan
2. **BILL** - Amending the Official Zone Map from the C-M/UGM/cz to the C-2/UGM zone district

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

11:00 A.M. HEARING to consider a resolution of public use and necessity for acquisition of an easement for construction of E. Alluvial Avenue and N. Chestnut Avenue, UGM Tract 4514, APN 404-071-42

Action Taken:

- a. * **RESOLUTION** - That the public interest and necessity require the construction of a portion of E. Alluvial Avenue at N. Chestnut Avenue as a development requirement of UGM Tract 4514

Action Taken:

2:00 P.M.#1 DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)

2:00 P.M.#2 CLOSED SESSION

- A. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** - Government Code Section 54956.8 (*Requested by Acting President Mathys*)

Property: Lease Agreement with Fresno County relating to Van Ness Avenue and Inyo Street Spiral Parking Garage

Negotiating parties: Jeffrey Reid, Robert Quesada, negotiators for the City of Fresno; John Weiser, negotiator for the County of Fresno

Under Negotiation: Instructions to negotiators concerning price, terms of payment, and other lease terms and conditions

Action Taken:

- B. **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6

City Negotiator(s): Jeffrey M. Reid, Andrew T. Souza, Jorge Aguiniga

Employee Organization(s): FAPOFA AND CFPEA

Action Taken:

- C. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Morales, et al. v. City of Fresno, et al.

Action Taken:

2:30 P.M. Status report regarding multi-purpose stadium - Council President Steitz

Action Taken:

1. Direct the City Attorney to request from the Fresno Diamond Group, an audited income statement and balance sheet for the last two years of operation - Acting President Mathys

Action Taken:

3:00 P.M. Discussion and determination regarding options for local designation under the Workforce Investment Act (WIA) of 1998 - Councilmember Perea

Action Taken:

3:15 P.M. Consider options and direction to staff to resolve the public utilities issue (sewer) with property owner at 4534 W. Ashlan Avenue

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

3:30 P.M. Proposed appointment to the San Joaquin River Conservancy Board - Council President Steitz
Action Taken:

4:00 P.M. **HEARING** to consider Planning Commission's action on Conditional Use Permit (CUP) Application No. C-99-070, which request approval for a charter school located at 830 Fresno Street

Action Taken:

1. RESOLUTION - Approving Conditional Use Permit No. C-99-070

Action Taken:

1A. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

1. Authorize the City Manager to execute 1999-2000 Agreement with County Adult Interagency Council

Action Taken:

2. Adopt revised Federal Disadvantaged Business Enterprise (DBE) Program and rescind Resolution No. 98-267

a. RESOLUTION - Establishing Disadvantage Business Enterprise (DBE) goals for construction contracts, procurements, professional, and other services contracts that are federally funded

Action Taken:

3. * RESOLUTION - 364th amendment to MFS Resolution No. 80-420 adjusting the green fees at Airways Golf Course

Action Taken:

4. Approve a Professional Services Agreement with Blair, Church and Flynn for the design of the Fowler Avenue Project from the Gould Canal to Clinton Avenue

Action Taken:

5. Approve a Professional Services Agreement with Yamabe & Horn Engineering for the design of the Peach Avenue Project from SR 180 to McKinley Avenue

Action Taken:

6. Approve a Professional Services Agreement with Boyle Engineering Corporation for the design of the Clovis Avenue Project from Kings Canyon Avenue to McKinley Avenue

Action Taken:

7. Approve the acquisition of two easements on E. Alluvial at N. Chestnut Avenue

Action Taken:

8. Award a contract for installation of a 12" water main in Santa Clara Avenue, "G" Street to "E-F" alley

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. **GENERAL CONSENT CALENDAR CONTINUED**

9. Approve a Professional Services Agreement with Black and Veatch for Professional Engineering Services for a detailed plan/study for the construction of Satellite Wastewater Treatment Facilities
Action Taken:
10. * **RESOLUTION** - 20th amendment to AAR No. 99-181 adjusting revenues and appropriations for the completion of the Water Tower Visitors Center, the Cedar/Dakota sidewalk and the Shepherd median island capital improvements that have been previously approved (**Requires 5 affirmative votes**)
Action Taken:
11. Authorize the City Manager to execute a Home Investment Partnership Program (HOME)/Community Housing Development Organization (CHDO) Agreement with ACLC., for affordable housing
Action Taken:
12. * **RESOLUTION** - 17th amendment to AAR No. 99-181 appropriating funds for water well projects in UGM water service areas 101-S, 201-S and 301-S (**Requires 5 affirmative votes**)
Action Taken:
13. * **RESOLUTION** - 18th amendment to AAR No. 99-181 appropriating funds for traffic signal projects within the Pedestrian and Bicycle Facilities Grant Program (**Requires 5 affirmative votes**)
Action Taken:
14. Award a contract for general site improvements on the Convention Center side of “M” Street
Action Taken:
15. Approve an amendment to the Master Fee Schedule to reflect changes in Department of Justice (DOJ) billing procedure policy and the implementation of the City of Fresno’s live scan print service charged to card room applicants (Reference Fresno Municipal Code 7-513 (c))
a. * **RESOLUTION** - 363rd amendment to MFS Resolution No. 80-420 to amend the card room employee work permit fee
Action Taken:

1B. **CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

- A. Consider initiation of General Plan amendment modifying the City’s single family residential sidewalk policy to require sidewalks on both sides of local streets in new single family residential subdivisions regardless of dwelling unit density - Councilmember Bredefeld
1. **RESOLUTION** - Initiating an amendment to the 1984 General Plan
Action Taken:

3. **GENERAL ADMINISTRATION**

4. **CITY ATTORNEY**

5.

CITY COUNCIL

- A. Proposed appointment of Ardell Barnes to the San Joaquin River Conservancy Board - Councilmember Perea *(for introduction)*
Action Taken:
- B. Approved appointment of Reina Pineda to the Human Relations Commission - Councilmember Boyajian *(For adoption)*
Action Taken:
- C. Determine funding sources for feasibility study for improvements of certain Convention Center facilities - Councilmember Ronquillo
Action Taken:
- D. Request update on pay telephones that have been turned in by District 5 office, that are blighting the neighborhoods in the City of Fresno that create a nuisance and have not taken out permits and site plans since last Council discussion. Request update from Public Works Dept., Housing and Neighborhood Revitalization, Police Dept., Development Dept., City Attorney's Office and City Manager's Office - Councilmember Quintero
Action Taken:
- E. Request City Attorney create an ordinance that would prevent people from driving over handicapped ramps on sidewalks. Ordinance to have a fine imposed upon a violator who drives over a handicapped ramp - Councilmember Quintero
Action Taken:
- F. Clarify terms of agreement with Fresno Falcons - Council President Steitz
Action Taken:
1. Identify what the performance criteria will be - Councilmember Perea
Action Taken:
- G. * **RESOLUTION** - 19th amendment to AAR No. 99-181 appropriating \$200 of District 2's general fund infrastructure budget for the Friendship Center for the Blind *(Requires 5 affirmative votes)* - Acting President Mathys
Action Taken:
- H. * **RESOLUTION** - 13th amendment to AAR No. 99-181 adjusting revenues and appropriations in the various infrastructure funds from Council districts to provide for the carry-over of the FY 99 unused balances *(Requires 5 affirmative votes)* - Councilmember Boyajian
Action Taken:
- I. Request City Manager to authorize Transit General Manager to purchase two (2) low-floor hybrid electric buses - Council President Steitz
Action Taken:
- J. Approve appointment to Council of Government (COG) Railroad Committee - Council President Steitz
Action Taken:

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

5.

CITY COUNCIL ITEMS CONTINUED

- K.** Ratification of responses of the 1998-99 Grand Jury Report - Acting President Mathys
Action Taken:
- L.** Direct City Manager or his designee to install 25 mile per hour speed limit signs along Beechwood between Van Ness and West - Acting President Mathys
Action Taken:
- M.** Discussion to schedule joint City Council/Planning Commission workshop to address Citywide fence issue - Councilmember Ronquillo
Action Taken:
- N.** Direct staff to provide necessary documents appropriating \$500 to the Fresno Arts Council - Councilmember Perea
Action Taken:
- O.** Direct City Manager or designee to provide a performance audit of Home Improvement Loan - Councilmember Perea
Action Taken:

6.

CITY/COUNTY INTERGOVERNMENTAL RELATIONS

7.

UNSCHEDULED ORAL COMMUNICATIONS - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Sept. 7 - NO MEETING - COUNCIL VACATION

Sept. 14 - NO MEETING - COUNCIL VACATION

Sept. 21 - 10:00 A.M. HEARING re: P.A. No. 99-11, Rezone Appl. R-99-21, filed by DMP Development

Sept. 21 - 10:30 A.M. Workshop on receiverships for substandard housing - Councilmembers Boyajian and Ronquillo

Sept. 21 - 11:00 A.M. Report on Fresno Economic Recovery Project - Councilmember Bredefeld

Sept. 21 - 5:30 P.M. HEARING to consider P.C.'s action on Site Plan Review No. S-99-89 - Green's Recycling/W. Whitesbridge and S. Hughes

Sept. 28 - 10:00 A.M. HEARING re: Community Facilities District No. 2, Annexation No. 13

Sept. 28 - 10:30 A.M. HEARING re: P.A. No. 99-06, Rezone Appl. No. R-99-14, filed by Jeff Roberts representing Granville Homes

Sept. 28 - 11:00 A.M. HEARING re: P.A. No. A-99-10, Rezone Appl. No. R-99-15, filed by Brian Davies on behalf of Highland Enterprises

Oct. 12 - NO MEETING - LEAGUE OF CALIFORNIA CITIES CONFERENCE

Nov. 23 - NO MEETING - THANKSGIVING WEEK

Dec. 21 - NO MEETING - CHRISTMAS WEEK

Dec. 28 - NO MEETING - NEW YEAR'S WEEK

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***